

# ORIGINAL SUNESYS



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Direct Dial: 267.927.2029  
E-mail: pbradshaw@sunesys.com

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VIA FEDERAL EXPRESS

2008 MAY 21 A 11:38

May 20, 2008

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
Attn: Business Office – Utilities Division  
1200 West Washington Street  
Phoenix, AZ 85007

RE: Sunesys, LLC – Docket No. T-20456A-06-0266  
Performance Bond Required Under Decision No. 70292

Dear Sir or Madam:

Attached is a performance bond in the amount of \$200,000 issued by Federal Insurance Company as Surety in favor of the Arizona Corporation Commission as required under the decision of the Commission referenced above.

Please contact me if you have any questions concerning this bond.

Sincerely yours,

Paul T. Bradshaw  
Senior Counsel

Cc: Arizona Corporations Commission – Docket Control (w/encl)  
Jeffrey Rummel, Esquire (w/encl)

Arizona Corporation Commission  
**DOCKETED**

**MAY 21 2008**

DOCKETED BY	
kh	nr

SUNESYS, LLC  
202 Titus Avenue, Warrington, PA 18976  
Phone: 267.927.2000 Fax: 267.927.2090

# PERFORMANCE BOND

(Miscellaneous, not Construction)

BOND NO. ~~XXXXXXXXXX~~

KNOW ALL MEN BY THESE PRESENTS, That we, Sunesys, LLC, as Principal, (hereinafter called "Principal"), <sup>Federal Insurance</sup><sub>Company</sub>, a Indiana corporation, as Surety (hereinafter called "Surety"), are held and firmly bound unto Arizona Corporation Commission, as Obligee, in the full and just sum of Two Hundred Thousand and 00/100 U.S. Dollars (\$200,000.00) to be paid to the said Obligee or its successors or assigns for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS the Principal has entered into an Opinion and Order granting to Obligee a certificate of public convenience and necessity to provide facilities based long distance, facilities based local exchange, and private line telecommunications service within the State of Arizona, in reference to docket number T-20456A-06-0566 as is more specifically set forth in said Opinion and Order, to which reference is hereby made.

NOW, THEREFORE, THE CONDITION OF THE OBLIGATION IS SUCH, that if the Principal shall well and truly perform and carry out the covenants, terms and conditions of said Opinion and Order, then this obligation to be void; otherwise to remain in full force and effect.

Signed this 19th day of May, 2008.

SUNESYS, LLC

(Principal)

By: 

Alan N. Kotz  
Vice President

[Surety]

Federal Insurance Company  
15 Mountain View Road  
Warren, NJ 07061

By: 

Florieta Acosta, Attorney-In-Fact



**Chubb  
Surety**

**POWER  
OF  
ATTORNEY**

**Federal Insurance Company  
Vigilant Insurance Company  
Pacific Indemnity Company**

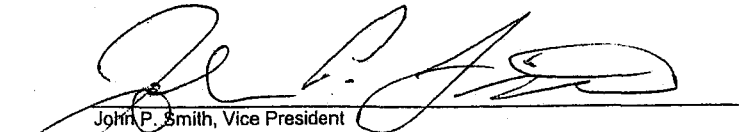
**Attn: Surety Department  
15 Mountain View Road  
Warren, NJ 07059**

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Gloria C. Blackburn of Dallas, Texas and Florietta Acosta, Donald E. Appleby, Dilynn Guern, Susan J. Lattarulo, Kristen McCormick, Kevin W. McMahon, Frank C. Penn, J.R. Richards, James S. Rosulek and Lisa T. Solove of Denver, Colorado-

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 26th day of October, 2005

  
Kenneth C. Wendel, Assistant Secretary

  
John P. Smith, Vice President

STATE OF NEW JERSEY

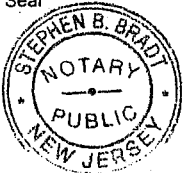
ss.

County of Somerset

On this 26th day of October, 2005

known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with John P. Smith, and knows him to be Vice President of said Companies; and that the signature of John P. Smith, subscribed to said Power of Attorney is in the genuine handwriting of John P. Smith, and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



**STEPHEN B. BRADT**  
Notary Public, State of New Jersey  
No. 2321097  
Commission Expires Oct. 25, 2009

  
Notary Public

### CERTIFICATION

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

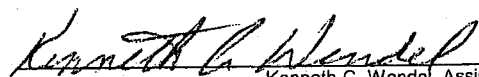
"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this 19th day of May, 2008



  
Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656

e-mail: surety@chubb.com